

§ 107.7

information, to the Administrator for consideration.

(e) After review of a petition for reconsideration, the Administrator disposes of the petition by either directing the Director of Civil Aviation Security to withdraw or amend the notice to modify, or by affirming the notice to modify.

[Doc. No. 16245, 43 FR 60792, Dec. 28, 1978, as amended by Amdt. 107-5, 54 FR 28765, July 7, 1989]

§ 107.7 Changed conditions affecting security.

(a) After approval of the security program, the airport operator shall follow the procedures prescribed in paragraph (b) of this section whenever it determines that any of the following changed conditions has occurred:

(1) Any description of an airport area set out in the security program in accordance with § 107.3(b) (1), (2), or (3) is no longer accurate.

(2) The procedures included, and the facilities and equipment described, in the security program in accordance with § 107.3(b) (4) and (5) are not adequate for the control functions described in § 107.13(a).

(3) The airport operator changes any alternate security procedures described in the security program in accordance with § 107.3(b)(6).

(4) The law enforcement support described in the security program in accordance with § 107.3 (b)(7), (f)(1), or (g)(1) is not adequate to comply with § 107.15.

(5) Any changes to the designation of the Airport Security Coordinator (ASC) required under § 107.29.

(b) Whenever a changed condition described in paragraph (a) of this section occurs, the airport operator shall—

(1) Immediately notify the FAA security office having jurisdiction over the airport of the changed condition, and identify each interim measure being taken to maintain adequate security until an appropriate amendment to the security program is approved; and

(2) Within 30 days after notifying the FAA in accordance with paragraph (b)(1) of this section, submit for approval in accordance with § 107.9 an

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amendment to the security program to bring it into compliance with this part.

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§ 107.9 Amendment of security program by airport operator.

(a) An airport operator requesting approval of a proposed amendment to the security program shall submit the request to the Director of Civil Aviation Security. Unless a shorter period is allowed by the Director of Civil Aviation Security, the request must be submitted at least 30 days before the proposed effective date.

(b) Within 15 days after receipt of a proposed amendment, the Director of Civil Aviation Security issues to the airport operator, in writing, either an approval or a denial of the request.

(c) An amendment to a security program is approved if the Director of Civil Aviation Security determines that—

(1) Safety and the public interest will allow it, and

(2) The proposed amendment provides the level of security required by § 107.3.

(d) After denial of a request for an amendment the airport operator may petition the Administrator to reconsider the denial. A petition for reconsideration must be filed with the Director of Civil Aviation Security.

(e) Upon receipt of a petition for reconsideration the Director of Civil Aviation Security reconsiders the denial and either approves the proposed amendment or transmits the petition, together with any pertinent information, to the Administrator for consideration.

(f) After review of a petition for reconsideration, the Administrator disposes of the petition by either directing the Director of Civil Aviation Security to approve the proposed amendment or affirming the denial.

[Doc. No. 16245, 43 FR 60792, Dec. 28, 1978, as amended by Amdt. 107-5, 54 FR 28765, July 7, 1989]

§ 107.11 Amendment of security program by FAA.

(a) The Administrator or Director of Civil Aviation Security may amend an